



REVISED

CITY OF EL PASO, TEXAS

LEGISLATIVE REVIEW COMMITTEE – PLANNING AND DEVELOPMENT

Date: Thursday, January 28, 2010

Time: 1:00 p.m.

Place: City Hall, Two Civic Center Plaza, 2nd Floor, City Council Chambers

.....
AGENDA

1. Call to order and establish quorum.
2. Approval of Minutes for the Planning & Development Legislative Review Committee meeting of December 2, 2009.
3. Discussion and action to provide direction regarding possible items for either the City's 2010 Federal Legislative Agenda or the City's 2011 State Legislative Agenda.
[City Attorney's Office, Taylor Moreno, (915) 541-4304]
4. Discussion and action on a recommendation of the Open Space Advisory Board that Recommendation A-1 contained within the Green Infrastructure Plan for the City of El Paso, Texas, requiring a down-zoning of El Paso Water Utilities – Public Service Board property, be implemented. [Parks and Recreation, Shamori Whitt, (915) 541-4020]
5. Set next meeting date and discussion item(s) for the agenda of the next meeting.
6. Adjournment.

EXECUTIVE SESSION

The Legislative Review Committee of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Legislative Review Committee of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The Legislative Review Committee will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

January 28, 2010

REVISED

Legislative Review Committee – Planning & Development

Page 2

NOTICE TO THE PUBLIC: This is a meeting of a legislative review committee of the El Paso City Council. The committee ordinarily consists of four Council members for purposes of establishing a quorum and the voting membership on the committee. However, any other member of the City Council may, on an ad hoc basis, join the meeting and participate in the discussions.

Sign language interpreters will be provided for this meeting upon request. Request must be made to this department at a minimum of 24 hours prior to the date and time of the meeting.

Copies of this agenda will be provided in Braille, large print or audio tape upon request. Request must be made a minimum of 48 hours prior to the date and time of the meeting.



DRAFT

CITY OF EL PASO, TEXAS

LEGISLATIVE REVIEW COMMITTEE – PLANNING AND DEVELOPMENT

City Hall, Two Civic Center Plaza, 2nd Floor, Community Development Conference Room

Thursday, January 28, 2010

1:00 p.m.

MINUTES

AGENDA

1. Call to order and establish quorum.

Meeting was called to order at 1:10 p.m., Committee Chair Ann Lilly present and presiding and the following Committee

Members were present:

City Representative Ann Lilly

City Representative Susie Byrd

City Representative Beto O'Rourke

City Representative Rachel Quintana

2. Approval of Minutes for the Planning & Development Legislative Review Committee meeting of December 2, 2009.

MOTION WAS MADE by City Representative Susie Byrd seconded by City Representative Rachel Quintana and unanimously carried to approve the minutes for December 2, 2009 as submitted. [Approved 4-0]

3. Discussion and action to provide direction regarding possible items for either the City's 2010 Federal Legislative Agenda or the City's 2011 State Legislative Agenda. [City Attorney's Office, Taylor Moreno, (915) 541-4304]

Ms. Taylor Moreno, City Intergovernmental Affairs Coordinator, presented a PowerPoint presentation. [Copy on file]

Mr. Mathew McElroy, Director of Planning Department, commented

Ms. Patricia Aduato, Deputy City Manager/Development & Infrastructure, commented

Representatives O'Rourke, Byrd, Lilly and Quintana, commented

Mr. Charles Wakeem, Chair, Open Space Advisory Board, commented

Mr. Shamori Whitt, COEP Parks & Recreation, commented

No public comments made.

1st MOTION WAS MADE by City Representative Rachel Quintana seconded by City Representative Susie Byrd and unanimously carried to recommend the following additions: [Approved 4-0]

Federal, Military Affairs:

- Requesting protection of Castner Range.
- Allowing for funding for municipalities with approved Military Regional Growth Plans vetted through the Office of Economic Adjustment to implement recommended initiatives. Also, submitting an appropriation request for funding need.

2nd MOTION WAS MADE by City Representative Susie Byrd seconded by City Representative Beto O'Rourke and unanimously carried to recommend the following additions: [Approved 4-0]

State, Military Affairs:

- Allowing for funding to assist municipalities with protecting areas around military installations from encroachment.

State, Development:

- Requesting that the General Land Office develop a coordinated process with municipalities to respect land use policies when leasing and disposing of lands.
- Requesting zoning authority in the ETJ.
- Restricting and limiting creation of Municipal Utility Districts in County areas.
- Appropriating funding for land inclusion into the Franklin Mountains State Park, \$5 million.
- Seeking funding for trail head development and land acquisition.

4. Discussion and action on a recommendation of the Open Space Advisory Board that Recommendation A-1 contained within the Green Infrastructure Plan for the City of El Paso, Texas, requiring a down-zoning of El Paso Water Utilities – Public Service Board property, be implemented. [Parks and Recreation, Shamori Whitt, (915) 541-4020]

Ms. Shamori Whitt, COEP Parks & Recreation, presented the Open Space Implementation
Mr. Charles Wakeem, Chair, Open Space Advisory Board, commented
Representatives Quintana, Byrd, O'Rourke and Lilly, commented
Ms. Patricia Aduato, Deputy City Manager/Development & Infrastructure, commented
Ms. Lupe Cuellar, City Attorney, commented
Mr. Mathew McElroy, Director of Planning Department
Mr. Nick Costanzo Public Service Board, commented
Mr. Rudy Valdez, Public Service Board, commented
Mr. Rick Bonart, Member, Borderland Mountain Bike Association

MOTION WAS MADE by City Representative Beto O'Rourke, seconded by City Representative Susie Byrd to recommend that the City Manager initiate a downzoning of El Paso Water Utilities – Public Service Board held property pursuant to the Green Infrastructure Plan for the City of El Paso, Recommendation A-1, and that the following issues be reviewed and presented to the City Council prior to the processing of the application: [Approved 3-1]

- Excluding properties zoned PMD (Planned Mountain Development District);
- Checking with bond counsel on any impact of the downzoning to the fiduciary responsibility or land value of the properties;
- Determining which undeveloped lands have surveys and developing a cost estimate for surveying the remaining parcels;
- Developing a financial plan for funding the survey work; and
- Identifying other areas for exception to the downzoning.

AYES: City Representative O'Rourke, Byrd and Quintana

NAYES: City Representative Lilly

5. Set next meeting date and discussion item(s) for the agenda of the next meeting.

The next meeting date to be determined upon a quorum. There were no discussion items pending for the next agenda meeting.

6. Adjournment. Meeting was adjourned at 2:40 p.m.

APPROVED AS TO CONTENT: _____
Department Head



**LEGISLATIVE REVIEW COMMITTEE
Meeting Action Report**

Committee: Planning & Development

Members: City Representative Ann Morgan Lilly (Chair)
City Representative Susie Byrd
City Representative Beto O'Rourke
City Representative Rachel Quintana

Date of Meeting: January 28, 2010

This Meeting Action Report includes agenda items where action was taken by the Planning & Development Legislative Review Committee (LRC), and where City Council finalization of the direction received is necessary. Items postponed for future action of the LRC are not included in this Report.

I. Discussion and Action to provide direction regarding possible items for either the City's 2010 Federal Legislative Agenda or the City's 2011 State Legislative Agenda.

Summary:

City staff presented an update on the federal and state legislative agendas and requested preliminary input from members of the LRC on new initiatives that should be incorporated for the upcoming legislative sessions.

Action Taken:

The LRC voted to recommend the following additions:

Federal, Military Affairs: (Vote: 4-0)

- Requesting protection of Castner Range.
- Allowing for funding for municipalities with approved Military Regional Growth Plans vetted through the Office of Economic Adjustment to implement recommended initiatives. Also, submitting an appropriation request for funding need.

State, Military Affairs: (Vote: 4-0)

- Allowing for funding to assist municipalities with protecting areas around military installations from encroachment.

State, Development:

- Requesting that the General Land Office develop a coordinated process with municipalities to respect land use policies when leasing and disposing of lands.
- Requesting zoning authority in the ETJ.
- Restricting and limiting creation of Municipal Utility Districts in County areas.
- Appropriating funding for land inclusion into the Franklin Mountains State Park, \$5 million.
- Seeking funding for trail head development and land acquisition.

Disposition:

These recommendations are to be more thoroughly vetted at the Intergovernmental Relations LRC. An LRC Report of the recommendations will be scheduled for City Council presentation on February 9, 2010, and scheduled for LRC and City Council action at a later time.

II. Discussion and Action on a recommendation of the Open Space Advisory Board that Recommendation A-1 contained within the Green Infrastructure Plan for the City of El Paso, Texas, requiring a downzoning of El Paso Water Utilities – Public Service Board property, be implemented..

Summary:

The Green Infrastructure Plan for the City of El Paso, Texas, Recommendation A-1 under Preservation Methods, is titled *Rezoning of Newly Annexed Properties*. It recommends the rezoning of all of the currently undeveloped lands annexed to the City and not having an approved master plan or land study to R-F (Ranch/Farm) zoning. Lands annexed to the City were previously automatically zoned R-3 (Residential). In 2008 the Zoning Code was modified to impose R-F zoning upon annexation unless a more thorough zoning plan was approved by City Council. Further, the Plan recommends City-initiated rezoning. The City of El Paso through the El Paso Water Utilities – Public Service Board is the largest landowner of undeveloped land within the City Limits.

The Open Space Advisory Board is recommending that the City consider rezoning all undeveloped land held by the El Paso Water Utilities – Public Service Board as recommended by the Plan. City staff presented a dissenting recommendation that the determination of compatible zoning for the undeveloped areas be part of the more comprehensive master planning effort underway. Other staff considerations were presented. Public comment was received.

Action Taken:

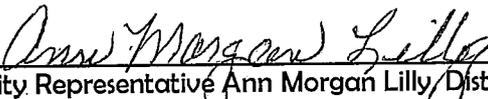
The LRC voted 3-1 to recommend that the City Manager initiate a downzoning of El Paso Water Utilities – Public Service Board held property pursuant to the Green Infrastructure Plan for the City of El Paso, Recommendation A-1, and that the following issues be reviewed and presented to the City Council prior to the processing of the application:

- Excluding properties zoned PMD (Planned Mountain Development District);
- Checking with bond counsel on any impact of the downzoning to the fiduciary responsibility or land value of the properties;
- Determining which undeveloped lands have surveys and developing a cost estimate for surveying the remaining parcels;
- Developing a financial plan for funding the survey work; and
- Identifying other areas for exception to the downzoning.

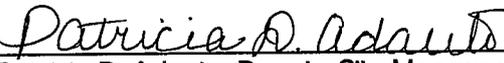
Disposition:

This recommendation will be scheduled for City Council action on February 8, 2010.

SUBMITTED BY:



City Representative Ann Morgan Lilly, District 1
Chair, Planning & Development LRC



Patricia D. Adauto, Deputy City Manager
City Manager – Development & Infrastructure